19$ 49-50

File No. 834/48

A CLASS

P.W. **DEPARTMENT**

E **BRANCH** II

Subject:— Medical Certificate
Govt. Servants re-employed
after superannuation
Orders regarding —

V

A L KJ

File No. 834/48 — E(II)

Ed. Secrt. Bldg. 24 A

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 834/46

P.W DEPT.

E BRANCH. A

References :—

Date	To whom sent.	Notes and instructions.

E.B. 834/48
34672

P. W. D.

As the question of exempting re-employed persons from proving the necy. M. C. of Physical fitness is a general question the necy. orders in the matter will have to be issued by the P. & S. D. These papers may, therefore, be transferred to that Deptt. after u. o. r.

Id/-
30-5-49.

U. O. to P & S. D. dated the 31-5-49.

It is not necessary for P. W. D. to transfer those papers to this Deptt. as proposed. Though the question raised by the Superintendenting Engineer, D. I. C. is of general applicability no body does has raised it so far. and no general orders in the matter are necessary.

The re-employed persons do not earn any pension in respect of their service after remeployment, the question of subjecting them to any detailed medical examination does not arise. Similar the re-employment of a retained person is generaly subect to the conditaion in that of he continues to be physically and mentally fit and as soon as there are any signs of physical or mental weakness, the appointment can be terminated. It is not therefore necessary got the persons can concerned. medically examined.

P. W. D. may be advised to send a reply in the light of the foregoing remarks to the Superintendenting Engneeer.

Id/-
2-6-49.

D. S.

Id/-
3-6-49.

U. O. R. to P. W. D. dated 4/6/49.

E. B. (II) P. W. D.

Submitted with a draft for approval.

Id/-
7/6/49.

Id/- 7/6/49.

Id/-
8-6-49.

Letter.

No. 46/B/8558. E

Deccan Irrigation Circle,
Poona 1. 23 May 1949.

To

The Secretary to the Government of Bombay,

Public Works Department, Bombay.

Subject:- Medical certificate of fitness in case of re-employed persons.

Reference: Government Circualr, Public Works Department No. 2119/36, dated the 25.6.45.

Due to shortage of experiexperienced hands many persons are being re-employed after superannuation. It seems a moot point whether such persons should be asked to produce a certificate of physical fitness from a Civil Surgeon.

2. I am of opinion that such a certificate need not be insisted on in case of re-employed persons. The appointing authority can re-employ such persons as long as their services are required and they are able to carry out their duties satisfactorily. When a person is first taken into service, Government wish to ensure that he will bein a position to serve for a number of years, so that the experience he gains is available to to Government in his later stage of service. What consideration does not arise in case of re-employed persons and I see no point in insisting on such a certifiesate, unless the appointing authority has some doubts.

3- I request that this point may be clarified and authoritative ruling given for the guidance of all.

Sd/-
Superintending Engineer,
Deccan Irrigation Circle,

Copy with compliments to -

1. All Superintending Engineers.
2. The Executive Engineers in this Circle.

Medical Certificate:
Government servants
re-employed after
superannuation.
Orders regarding -.

Government of Bombay.
Public Works Department.
Circular Memorandum No. 834/48.
Bombay Castle, 8th June 1949.

GOVERNMENT CIRCULAR MEMORANDUM

According to the orders issued in Government Circular Memorandum, Public Works Department, No. 2119/36, dated the 25th June 1945, the local officers under this Department are authorised to re-employ retired overseers and clerks provided that they are physically and mentally fit and continue to be so during the period of their re-employment.

2. A doubt has been raised whether it is necessary for such re-employed persons to undergo regular medical examination either from a Civil Surgeon or from a Medical Board, as the case may be, for being declared physically and mentally fit for purpose of Bombay Civil Services Rule 14. As re-employed persons do not earn any pension in respect of the service after re-employment, Government does not consider such medical examination necessary. The only criterion is that the re-employed persons should continue to be physically and mentally fit for the work. As soon as the competent authority notices any signs of physical or mental weakness in the re-employed person, the appointment should be terminated.

3. This disposes of the Superintending Engineer, Deccan Irrigation Circle's letter No. 46/5/8558-E, dated the 23rd May 1949.

By order of the Governor of Bombay,

Sd/- O. C.
13-6-49

(K. V. Joglekar),

To

The Political and Services Department.

The Electrical Commissioner with the Government of Bombay.

The Superintending Engineers of Circles.

The Public Health Engineer to Government .

The Electrical Engineer to Government.

The Architect to Government.

The Director, Development Department Chawls.

The Director of ~~Agricx~~ Agricultural Engineering-

The Secretary, Housing Board.

The Accountant Gneral, Bombay.

The Executive Engineers of Division.

Id/-

Issued
13/6/43.

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Medical Certificate.
- in cases of Re-employment of retired Government servants.

GOVERNMENT OF BOMBAY.

Finance Department.
Resolution No. 2649/33.
Bombay Castle, 1st April 1950.

RESOLUTION OF GOVERNMENT.

In exercise of the powers conferred by Article 309 of the Constitution of India the Governor of Bombay is pleased to direct that the following amendment should be made in the Bombay Civil Services Rules Manula, Volume I (Reprint) :-

Page 22: Chapter III :-
Insert the following new Rule below Rule 14-A in this chapter.
"14- B. A retired Government servant re-employed immediately after retirement may be exempted from producing a medical certificate of health. In cases other than those referred to in clause (d) of Rule 14 and in Rule 14-A , where the re-employment does not take place immediately after retirement, the appointing authority will decide whether a medical certificate should be produced."

By order of the Governor of Bombay,

D. H. DAMLE,
UNDER Secretary to Government.

To

The Accountnat General, Bombay,
The Deputy Accountant General, Baroda,
* The Prothonotary and Senior Master, High Court, Bombay,
* The Registrar, High Court of Judicature, Appellate Side, Bombay
All Heads of Departments under the several Departments of the Secretariat,
All Departments of the Secretariat,
The Enquiry Officer,
The Secretary to the Honourable Chief Minister, Secretarit.

*By letter.

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No. of 1950.

Copy forwarded for information and guidance t

Sd/-

18-5-